

# **Exhibit C to Mather Declaration (Coren & Ress, P.C. Firm Resume)**

**COREN & RESS, P.C.**

Attorneys at Law

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Steven M. Coren  
Benjamin M. Mather  
Andrew J. Belli  
Matthew R. Williams

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Of Counsel

Douglas Evan Ress  
John W. Morris

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**THE FIRM**

With an office in Philadelphia, Pennsylvania, Coren, & Ress, P.C. provides a broad range of legal services to its clients, concentrating in litigation. The Firm's litigation practice consists of a wide variety of cases in both federal and state courts, including commercial, securities, RICO, antitrust, civil rights, intellectual property, unfair competition, employment, construction, insurance coverage, criminal, and adversary bankruptcy matters.

The Firm, originally known as Kaufman, Coren, & Ress, P.C., was founded in 1989 by Howard J. Kaufman, Steven M. Coren and Douglas Evan Ress, all of whom were formerly partners in Kittredge, Kaufman & Donley. John Morris became Of Counsel to the Firm in 2005.

The Firm's attorneys are admitted to the particular federal and state courts identified in their individual resumes, and many have handled multi-district litigation matters as well. Various of the attorneys have also tried cases in New York, New Jersey, North Carolina, Massachusetts, Florida, Texas and Oklahoma.

The expertise of the Firm's attorneys is respected throughout the Philadelphia legal community, and the attorneys enjoy the highest professional reputations. Many of the Firm's attorneys previously practiced with well-known, large Philadelphia law firms, and the types of matters handled by the Firm generally parallel those of larger firms.

## **ATTORNEYS IN THE FIRM**

### **SHAREHOLDERS**

#### **STEVEN M. COREN**

Temple University, B.A. 1977 (*Magna Cum Laude*)

Penn State, The Dickinson School of Law, J.D. 1980 (*Cum Laude*) (Projects Editor, Dickinson Law Review)

Mr. Coren became a founding shareholder of Coren & Ress, P.C. in 1989. For the more than 41 years that have followed his graduation with honors from Penn State, The Dickinson School of Law, Mr. Coren has concentrated his practice on complex civil litigation in federal and state court. Mr. Coren has settled or tried to verdict numerous multi-million dollar cases resulting in recoveries exceeding \$250 million. Mr. Coren has been repeatedly recognized as a Pennsylvania Super Lawyer in *Philadelphia Magazine*, and has been selected for inclusion in the 2010-2022 editions of The Best Lawyers in America, including his recognition as 2018 Lawyer of the Year in the area of Litigation - Banking and Finance. Mr. Coren is a Fellow of the Litigation Counsel of America, a Trial Lawyer Honorary Society.

Mr. Coren is admitted to practice in the United States Supreme Court, the United States Court of Appeals for the Third Circuit, the United States Tax Court, the United States District Court for the Eastern District of Pennsylvania, and the Pennsylvania Supreme Court. He is a member of the American, Pennsylvania and Philadelphia Bar Associations and has lectured on areas involving lender-liability and other litigation.

#### **BENJAMIN M. MATHER**

Kenyon College, B.A. 1997

Loyola University Chicago, J.D. 2002

Mr. Mather has extensive experience handling all types of commercial disputes in both federal and state court. Before joining CRPC, Mr. Mather was a Deputy City Solicitor in the Philadelphia Law Department. While in that role, Mr. Mather was Philadelphia's lead attorney on many of its most complex and high-profile cases. Before working for the Philadelphia Law Department, Mr. Mather was an associate in the Commercial Litigation group of Pepper Hamilton, LLP. He is admitted to the Bar of the Commonwealth of Pennsylvania and the United States District Court for the Eastern District of Pennsylvania. Since joining CRPC, Mr. Mather's practice has focused on sophisticated commercial litigation in state and federal courts.

#### **MATTHEW R. WILLIAMS**

Cornell University, B.A. 2000

Villanova University School of Law, J.D. 2003

Mr. Williams graduated from Cornell University in 2000 with a Bachelor of Arts Degree

in American Studies. He then attended Villanova University School of Law where he graduated with a Juris Doctor in 2003. While at Villanova, Mr. Williams served as Associate Editor of the Villanova Law Review. Following his graduation from law school, Mr. Williams was associated with Pepper Hamilton LLP, where he worked for ten years in its Philadelphia office, handling a variety of complex commercial litigation. Mr. Williams is admitted to practice in Pennsylvania, as well as before the U.S. District Court for the Eastern District of Pennsylvania and the U.S. Court of Appeals for the First, Third and Fifth Circuits.

**ANDREW J. BELLI**

Pennsylvania State University, B.A., 2004

Temple University School of Law, J.D., 2008

Following his graduation *magna cum laude* from Temple University School of Law, Mr. Belli served as a law clerk for the Honorable Franklin S. Van Antwerpen of the United States Court of Appeals for the Third Circuit. Afterwards, Mr. Belli gained significant litigation experience as an attorney at the City of Philadelphia Law Department, where he represented the City in a number of matters, including contract and bid disputes, construction litigation, real estate litigation, Section 1983 litigation, and attacks on the authority of City officials. Immediately before joining KC&R, Mr. Belli was an associate of Pepper Hamilton LLP, where he focused on antitrust matters and complex commercial litigation.

**OF COUNSEL**

**DOUGLAS EVAN RESS**

Queens College, B.A. 1976

Georgetown University Law Center, J.D. 1979

Following his graduation *magna cum laude* from Queens College, where he was its first state finalist for a Rhodes Scholarship and its Scholar Athlete, and his graduation *cum laude* from Georgetown University Law Center, Mr. Ress was an associate for three years at Morgan, Lewis & Bockius handling commercial and other civil litigation. Mr. Ress then associated with Kittredge, Kaufman & Donley, in which he became a partner in 1985. In 1989, Mr. Ress became a co-founding shareholder of CRPC and continued his practice in the area of commercial litigation, personal injury litigation and in a variety of other related litigation matters. For 2022, Mr. Ress has been recognized by The Best Lawyers in America as Philadelphia's singular Lawyer of the Year in bet-the-company litigation. Mr. Ress has been continuously selected for inclusion in The Best Lawyers in America for 2007 to 2022 in the field of commercial litigation, as well as for 2015 through 2022 in the field of bet-the-company litigation, and has been repeatedly recognized as a Pennsylvania "Super Lawyer" in Philadelphia Magazine. For 2007, Mr. Ress was recognized as one of the Top 100 Super Lawyers in Pennsylvania, and for 2013, Mr. Ress has been recognized as one of the Top 100 Super Lawyers in Philadelphia.

Mr. Ress is a member in good standing of the Bars of the Commonwealth of

Pennsylvania and the State of New York, and also is admitted to practice law in the United States District Courts for the Eastern District of Pennsylvania and the Southern District of New York, the Third Circuit Court of Appeals and the United States Supreme Court. Mr. Ress served as a Hearing Officer for the Pennsylvania Disciplinary Board from 2002 to 2008 and serves as a Federal Arbitrator for the United States District Court for the Eastern District of Pennsylvania and a Judge *Pro Tem* in the Dispute Resolution Center of the Philadelphia County Court of Common Pleas. Mr. Ress also has served as an Arbitrator for the American Arbitration Association, and as a member of the Philadelphia Bar Association's Professional Responsibility Committee. He is a member of the American, Pennsylvania and Philadelphia Bar Associations and various trial lawyers' associations, has been a participant in ABA, AAJ and PBI programs, and served as a speaker at the 2008 PBI Bankruptcy Institute on "How to Best Present Testimony of an Expert Witness."

### **JOHN W. MORRIS**

Yale University, B.A. 1967

University of Pennsylvania, J.D. 1970

After receiving his bachelors degree in philosophy, earning his law degree, and practicing for three years with the Philadelphia firm of Clark, Ladner, Fortenbaugh & Young, Mr. Morris joined the Philadelphia District Attorney's Office. His four years in that office included service as First Assistant from 1975 through 1977. He then returned to private practice specializing in litigation with the firm of Pierson, Jones and Morris. Since 1982, Mr. Morris has been a sole practitioner with a practice divided between corporate representations and litigation, including white-collar criminal defense and management of national litigation for Reading Entertainment, Inc. (formerly Reading Railroad) and New Piper Aircraft. He joined CRPC as Of Counsel in 2005.

Mr. Morris has served two terms on the Disciplinary Board of the Supreme Court of Pennsylvania, as Chairman of its Rules Committee, and on the Board of the Pennsylvania Association of Criminal Defense Lawyers. In 1999, he was appointed by the Governor to serve on the Pennsylvania Judicial Conduct Board where he was Chairman from 2001 to 2003. Mr. Morris lectures on trial practice at Temple University and has been a regular instructor in NITA regional and national programs and in programs at Harvard, Emory, and Cardozo law schools. Mr. Morris serves on the Ethics Committee at Thomas Jefferson University Hospital. Mr. Morris has been repeatedly recognized as a Pennsylvania "Super Lawyer" in Philadelphia Magazine. He is a fellow of the American College of Trial Lawyers. In 2008, Mr. Morris was appointed by the Governor to serve as a Judge on the Pennsylvania Court of Judicial Discipline. Mr. Morris served as President Judge of that Court until the expiration of his term in 2012. Mr. Morris is a fellow of the American College of Trial Lawyers.

### **ASSOCIATES**

#### **JANICE D. FELIX**

University of Mary Washington, B.A., 2010

Drexel University Thomas R. Kline School of Law, J.D., 2014

Ms. Daul graduated *cum laude* from the University of Mary Washington in Fredericksburg, Virginia, in 2010. She then attended the Drexel University Thomas R. Kline School of Law, where she graduated with a Juris Doctor in 2014. While at Drexel, Ms. Daul served as a Notes Advisor and an Associate Editor of the *Drexel Law Review*. Ms. Daul is admitted to practice in Pennsylvania and New Jersey.

Bar Admissions

Pennsylvania

New Jersey

Court Admissions

United States Court of Appeal for the Third Circuit

United States District Court for the Eastern District of Pennsylvania

**COREN & RESS, P.C.**

**REPRESENTATIVE CASES**

**Securities Litigation**

**Schwartz v. Urban Outfitters, Inc. et al**, Civil Action No. 13 cv 5978, (USDC-EDPA) - CRPC served as plaintiffs' co-counsel in a securities class action brought on behalf of purchasers of common stock against Urban Outfitters and related defendants alleging that Defendants had engaged in a fraudulent scheme to artificially inflate the Company's stock price by misrepresenting and concealing information regarding failed product assortments and resulting deceleration in sales growth during the first half of fiscal year 2014. The Court certified Plaintiffs' class and the case settled for \$8.5 million.

**Oklahoma Police Pension & Retirement System v. Sientra, Inc., et al.**, Master File No. CIV 536013 (Superior Court of The State of California- County of San Mateo) – CRPC served as plaintiffs' co-counsel in a securities class action against Sientra and related defendants alleging that Defendants had misrepresented and omitted information required to be disclosed in connection with a secondary offering. The case settled for \$10.9 million

**Bankruptcy Litigation**

**In re: American Business Financial Services, Inc.**, Case No. 05-10203 (USBC-Del) - CRPC represented a Chapter 7 Trustee in a series of cases arising out of the collapse of the sub-prime mortgage industry and successfully asserted claims against: (a) several Wall Street investment banks that had extended warehouse financing and had served as underwriters for the failed lender's securitization of sub-prime mortgages; (b) the Chapter 7 debtor's former officers and directors; (c) the Chapter 7 debtor's former attorneys; and, (d) the Chapter 7 debtor's former auditor. CRPC recovered more than \$150 million on behalf of the trustee.

**Giuliano v. Schnabel, Inc., et al**, Adversary Proceeding No. 14-cv - 00471, (USDC-Del) - CRPC represented a Chapter 7 Trustee in a lawsuit against private equity sponsors and former directors and officers asserting actual fraudulent transfer and breach of fiduciary duty claims relating to the restructuring of a national dialysis company. CRPC recovered \$52.5 million on behalf of the Trustee.

**Giuliano v. Ferdinand, et al**, Adversary Proceeding No. 17-50662, (USBC-Del) - CRPC represented a Chapter 7 Trustee in lawsuit against officers and directors of the Debtor asserting fraudulent transfer and breach of fiduciary duty claims relating to the officers and directors perpetrating a fraudulent acquisition spree as cover for their pre-bankruptcy looting of the debtor. During the case, CRPC coordinated the trustee's settlement efforts with counsel for plaintiffs in a related securities class action. CRPC recovered over \$4 million on behalf of the Trustee.



**O'Halloran v. Prudential Savings Bank**, Adversary Nos. 17-00202 and 18-00280 (USBC-EDPA) – CRPC represented a Chapter 7 Trustee in a lawsuit against the debtor's lender asserting breach of contract, fraudulent transfer and equitable subordination claims relating to the lender's failure to adequately fund the debtor's housing development project. The case settled shortly before trial, resulting in a recovery of over \$8 million for the bankruptcy estate.

**Miller v. Bioletic AG, et al**, Adversary No. 17-01268 (USBC-NJ) – CRPC represented a Chapter 7 Trustee in a lawsuit alleging fraudulent transfer claims against a foreign manufacturer of medical products and its affiliates. CRPC recovered over \$2 million on behalf of the Trustee.

**Wells Fargo Bank, N.A. v. Homebanc Corp., et al**, Adversary Proceeding No. 07-051740, (USDC-Del) – CRPC represented a Chapter 7 Trustee in lawsuit against an investment bank relating to the valuation and auction of repo securities. CRPC recovered over \$3 million on behalf of the Trustee.

**Miller v. Zurich American Insurance Company, et al**, Adversary No. 11-50839 (USBC-Del) – CRPC represented a Chapter 7 Trustee in a lawsuit seeking to recover certain preferential transfers, disallow certain claims and obtain turnover of overpayment insurance premiums to one of the debtor's primary insurers. CRPC recovered over \$1 million on behalf of the Trustee.

**Miller v. American Capital, Ltd., et al**, Adversary No. 10-50063 (USBC-Del) – CRPC represented a Chapter 7 Trustee in a lawsuit alleging breach of fiduciary duty claims against the debtor's fiduciaries relating to their self-interested operation of the debtor's business. CRPC recovered over \$3 million on behalf of the Trustee.

**Miller v. Fallas, et al**, Adversary No. 20-50775 (USBC-Del) – CRPC represents Chapter 7 Trustee in lawsuit against the founder of a retail business and related entities asserting fraudulent transfer and breach of fiduciary duty claims.

**Giuliano v. Fleming, et al**, Adversary No. 21-51183 (USBC-Del) – CRPC represents a Chapter 7 Trustee in a lawsuit alleging breach of fiduciary duty claims against former directors and officers of an owner and operator of surgical clinics.

**Miller v. Bradley, et al**, Adversary No. 18-50385 (USBC-Del) – CRPC represents a Chapter 7 Trustee in lawsuit seeking to recover a fraudulent transfer in the form of a redemption of the ownership interest of the company's largest shareholder shortly before the company entered bankruptcy. To date, CRPC has recovered over \$3 million on behalf of the Trustee.

**Miller v. Nelson, et al**, Adversary No. 20-50627 (USBC-Del) – CRPC represents a Chapter Trustee in a lawsuit alleging breach of fiduciary duty and other claims against the former officers and directors of a conglomerate of one of the world's largest for-profit providers of secondary education.

### **Class Action Litigation**

**Bell, et al v. Southeastern Transportation Authority**, Civil Action No. 11-4047 (USDC-EDPA)(a collective action) – CRPC represented a putative class of bus drivers and trolley operators in a lawsuit against the Southeastern Public Transportation Authority (SEPTA) asserting claims under the Fair Labor Standards Act to recover unpaid wages and overtime compensation. CRPC recovered \$13.1 million on behalf of the plaintiffs.

**Greene, et al v. Sears Protection Company, et al**, Civil Action No. 15-cv-02546 (USDC-NDIL) - CRPC serves as class counsel to plaintiffs who purchased illusory protection agreements from Sears. The Court certified the class right before Sears filed for bankruptcy protection. CRPC has appealed a ruling of the bankruptcy court regarding the legal effects of a bankruptcy sale of parts of Sears' business.

**Flaccus V. Advanced Disposal Services, Inc., et al**, Civil Action No. 17-cv-04808 (USDC-EDPA) - CRPC represents a putative class of plaintiffs in a lawsuit against a sanitation company for charging its customers excessive fees. This matter is ongoing.

### **Commercial Litigation**

**Busy Bee, Inc. v. Wachovia Bank, N.A.**, No. 97-cv-5078, Court of Common Pleas, Lackawanna County (2006) – CRPC recovered a \$24 million judgment, including a \$7 million punitive damage award, against a national bank on lender-liability claims for breach of contract, breach of fiduciary duty, and misrepresentation.

**Frazer/Exton Development, LLC v. Sovereign Bank, N.A., et al**, Case No. 04510, April Term 2013, Court of Common Pleas- Philadelphia County - CRPC represented a developer in a multi-jurisdictional dispute with two prominent financial institutions relating to the banks refusal to fund an underlying project at one time valued at over \$200 million. The case settled during trial.

**SDI, Inc., et al v. Platinum Equity, LLC, et al**, Civil Action No. 001634, Court of Common Pleas - Philadelphia County, May Term, 2013; **Platinum Equity Advisors, LLC v. SDI, Inc. et al**, Index No. 653709/2013 Supreme Court of the State of New York - County of New York - CRPC represented a logistics company in a dual-forum dispute against its former private equity owner asserting claims for fraud and breach of contract relating to the former owner's sale of the business. The damages at issue totaled close to \$60 million. The parties reached a global settlement during trial of the Philadelphia action.

**Citizens Bank of Pennsylvania v. Chester Interchange Associates, L.P.**, No. 2009-13202, Court of Common Pleas- Chester County - CRPC represented a developer sued by a financial institution in mortgage foreclosure on an \$85 million credit facility. The dispute threatened to derail a substantial multi-use development project as well as the very existence of the developer's business. The parties settled the litigation to

enable the completion of the project and to ensure the viability of the developer's business.